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TECHNOLOGY CENTER 2800

In re Patent Application of ) Art Unit: 2811  
Masaaki NISHIJIMA ) Examiner: D. Owens  
Serial No. 09/351,160 )  
Filed: July 12, 1999 )  
For: SEMICONDUCTOR DEVICE )

#16/RESPONSE  
10/4/01  
VS

RESPONSE

Honorable Commissioner of Patents  
Washington, D.C. 20231

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Sir:

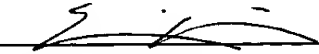
The Official Action mailed August 1, 2001 has been received and its contents carefully noted. Claims 23-27, 29, 32 and 34-40 are pending in present Application. Applicant notes with appreciation the allowance of claims 23-27, 29, 32 and 35-40. Claim 34 stands as the sole remaining rejected claim.

Paragraph 2 of the Official Action rejects claim 34 under 35 U.S.C. §112, first paragraph, as not being enabled by the present specification. Specifically, the Official Action asserts that the specification only provides support for forming a conductor line on a first dielectric layer with one dielectric constant and forming a second dielectric layer with a different dielectric constant from the first dielectric layer over the conductor line and first dielectric layer. Furthermore, the Official Action asserts that the specification only provides for forming two dielectric layers with mutually different dielectric constants, not two or more.

In response, the Examiner is respectfully directed to page 27, lines 13-19 of the present specification. Specifically, this portion of the specification makes clear that the dielectric film "may have a multi-layer structure including a first dielectric layer and a second dielectric layer formed on the first dielectric layer." Therefore it is respectfully submitted that the present application provides sufficient enablement to one skilled in the art to make and use a multi-layer structure as recited in claim 34, and that claim 34 is this enabled under 35 U.S.C. § 112. Reconsideration is respectfully requested.

Should the Examiner believe that anything further would be desirable to place this application in better condition for allowance, the Examiner is invited to contact Applicant's undersigned attorney at the telephone number listed below.

Respectfully submitted,



Eric J. Robinson

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<b>TRANSMITTAL FORM</b> (to be used for all correspondence after initial filing)	Application Number	09/351,160	
	Filing Date	July 12, 1999	
	First Named Inventor	Masaaki NISHIJIMA	
	Group Art Unit	2811	
	Examiner Name	D. Owens	
Total Number of Pages in This Submission		Attorney Docket Number	0819-0261

**ENCLOSURES (check all that apply)**

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Other
Remarks		<input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees required or credit any overpayments to Deposit Account No. 19-2380 for the above identified docket number.

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**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm or Individual name	Jason H. Vick, Reg. No. 45,285 Nixon Peabody LLP 8180 Greensboro Drive Suite 800 McLean, VA 22012
Signature	
Date	28 Sept 01

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